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DEPARTMENT OF STATE A/CDC/HR
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The Secretary of State presents his compliments to His Excellency the Ambassador of Mexico and has the honor to acknowledge the receipt of his Embassy's Note 0029, dated January 7, 1976 concerning the assault by members of the Jewish Defense League against the Consulate of Mexico in the City of Philadelphia on December 29, 1975.

While the Department is reluctant to comment on the actions of municipal courts, it does regret the inappropriate remarks of the Philadelphia Municipal Judge made during a hearing in his court on this incident. Notwithstanding the disposition of the case in the Philadelphia Municipal Court, there is concurrent federal jurisdiction to try the perpetrators of this offense.

The Department has contacted the Department of Justice and the Chief of the Criminal Division in the Office of the United States Attorney for the Eastern District of Pennsylvania, Mr. James Sommar, to indicate the grave concern of the Department of State over this incident and to urge the vigorous

prosecution of those responsible for this act against Mexican Consular personnel and premises in Philadelphia. Mr. Sommar informed the Department that Mr. Bruce Berger, Mr. Roy Gaeman and Mrs. Chayah Seigal were indicted Tuesday, January 13, 1976 in the United States District Court for the Eastern District of Pennsylvania under Title 18 of the United States Code, sections 1112(a) and 970(a). These sections define as federal crimes assaults against foreign officials and wilful damage to property occupied by foreign governments. He further indicated that the defendants have been released pending trial and stated that the trial would probably be held in February. Mr. Sommar advised the Department that he would be pleased to discuss the prosecution of these defendants or any aspects of the case with representatives of the Embassy and Mr. Sommar, who is fluent in Spanish, can be contacted by telephone at (Area Code 215) 597-9459.

The Department will continue to follow the progress of this prosecution and will undertake to keep the Embassy fully apprised of such progress.

Department of State,

January 27, 1976

Washington,

VJY
C. J. SAC

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JAN 27 1976

Clearances: L - Mr. Feldman
ARA/MEX - Mr. J. T. Dreyfus
S/CPR - Mr. H. Davis